

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Application Number	10/726,883	
	Filing Date	December 3, 2003
	First Named Inventor	Jack S. Rosen
	Art Unit	3749
	Examiner Name	
Attorney Docket Number	KH0694US (#90636)	
Total Number of Pages in This Submission	4	

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	D. Peter Hochberg; D. Peter Hochberg Co., L.P.A.
Signature	
Date	May 17, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Sean Mellino		
Signature		Date	May 18, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Date: May 18, 2004

Sean Mellino

Sean Mellino

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jack S. Rosen
Serial No. : 10/726,883 (Conf. No.: 5360)
Filed : December 3, 2003
Title : Combination Barbeque Grill, Smoker and Fire Pit
Examiner/Art Unit : / 3749
Attorney Docket : KH0694US (#90636)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Preliminary Amendment

Dear Sir:

Prior to the substantive examination of the above-identified continuation application, please amend the application without prejudice as noted below. Please amend the title to read: "COMBINATION BARBEQUE GRILL, SMOKER AND FIREPLACE". No new matter has been added.

Respectfully submitted,

By: 

D. Peter Hochberg
Reg. No. 24,603

DPH/sm

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